



Ontario



**ONTARIO  
POLICE  
ARBITRATION  
COMMISSION**

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### **Ontario Police Arbitration Commission**

Professor G. Gordon Simmons, Chairman,  
His Worship Mayor G.W. Harrington,  
His Honour Judge Garth H.F. Moore,  
Mr. D.R. Latten,  
Mr. L.H. Langlois,

Mr. George S.P. Ferguson, Q.C., Arbitrator,  
Mrs. Ann Perik, Secretary.

The Hon. John P. MacBeth, Q.C.,  
Solicitor General of Ontario

Mr. A. A. Russell, Q.C.,  
Deputy Solicitor General

## **The Role of the Ontario Police Arbitration Commission**

Administered by the Ministry of the Solicitor General, the Ontario Police Arbitration Commission is a five-member body that administers the arbitration process between municipalities and municipal police forces throughout Ontario. Moreover, the Commission offers conciliation services to assist parties negotiating voluntary collective agreements. The Police Amendment Act, 1972, provided for the establishment of the Commission. Its aim is to provide competent arbitrators for speedy and professional police contract bargaining and arbitration. The Commission is designed to promote more harmonious employee/ employer relations in the police community, to improve the long-term effectiveness of policing in Ontario.

The Arbitration Commission does not in any way influence the parties in their actual negotiations, and it has no specific responsibilities in the operation of the actual conciliation process. During the conciliation and arbitration process, however, it may be called upon to assist the parties in their efforts to reach an agreement by making available material and various experts knowledgeable in employee/ employer relations. As well, the Commission monitors and evaluates the general effectiveness of the police bargaining system, and makes recommendations for its improvement.

## **What the Commission's duties are:**

Responsibilities of the Police Arbitration Commission include:

- Overseeing an appointed full-time arbitrator, and maintaining a register of qualified part-time arbitrators.
- Assisting arbitrators in administrative arrangements for conducting arbitrations.
- Fixing the fees of arbitrators acting in rights disputes.
- Sponsoring publication and distribution of information relating to arbitration processes and awards.
- Sponsoring research relating to arbitration processes and awards.
- Establishing forms to be used by parties requiring arbitration services, and prescribing procedures for conducting arbitration hearings.

## **How the Commission works**

Under The Police Amendment Act, 1972, all arbitrations are conducted by a single arbitrator. As many as possible are referred to the full-time arbitrator, with the remainder being delegated if necessary to arbitrators on the register of the Arbitration Commission.

Other provisions in The Police Amendment Act, 1972, specify that bargaining can commence 90 days before the expiry of an agreement. In addition, the Act requires bargaining to begin within 15 days of a notice to bargain instead of the former 60 days.

Where a Board of Police Commissioners exists, municipal council are now able to make direct representations before an arbitrator.

## **Who serves on the Commission**

Besides the Chairman, there are two Commission members who represent municipal police governing bodies, and two members who represent police forces. All five members are appointed by the Solicitor General of Ontario. Except for the Chairman, the members serve on the Commission for two year renewable terms.



Chairman of the Commission is C. Gordon Simmons, a Professor of Law at Queen's University, who has extensive experience in the labour relations field. He was a research director with the Federal Task Force on Labour Relations (Woods' Report) and has performed mediation and arbitration work for private industry as well as for the Provincial and the Federal governments.

Representing police governing bodies are: His Worship Mayor George W. Harrington, Mayor of Burlington, Ontario, a former director and member of the Association of Municipal Police Governing Authorities, and a member of the Halton Region Police Commission. His Honour Judge Garth H.F. Moore, is a member of the judiciary for the Judicial District of York, a director of the Association of Municipal Police Governing Authorities and a member of the Metropolitan Toronto Board of Police Commissioners.

Representing the police forces are Mr. Dennis R. Latten, of Toronto, Administrator of the Police Association of Ontario and an Executive Officer of the Canadian Police Association. Mr. L.H. Langlois, a Sergeant with the Windsor Police Force, is a member of the Executive Committee of the Police Association of Ontario, and President of the Windsor Police Association.

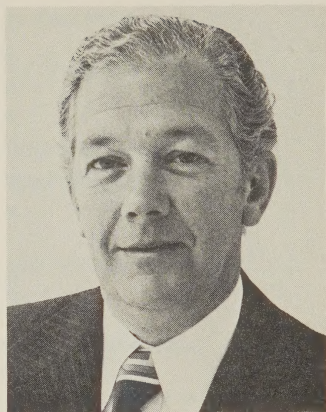
In undertaking the duties specified under the Act, the Commission has the services of a full-time arbitrator. He is designated by the Solicitor General to arbitrate the majority of disputes in which arbitration is requested by the parties.

Mr. George S.P. Ferguson, Q.C., is Ontario's first full-time arbitrator to be assigned to police arbitrations. For many years his work has focused on all aspects of labour relations including arbitration, conciliation and mediation. He also serves as a Vice-Chairman on the Ontario Labour Relations Board.

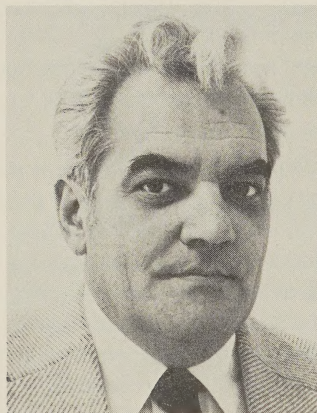
It should be noted, that in addition to the full-time arbitrator, the Commission maintains a panel of arbitrators available for designation by the Minister. The arbitration decisions are final and binding on the parties.



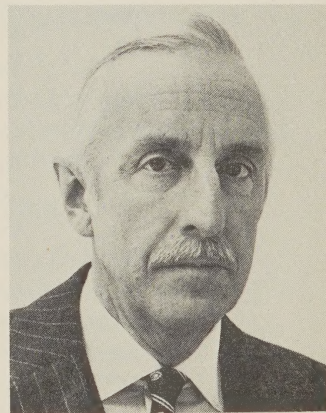
*Professor C. Gordon Simmons  
Chairman*



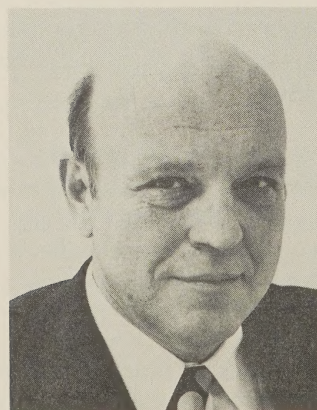
*His Worship Mayor G. Harrington*



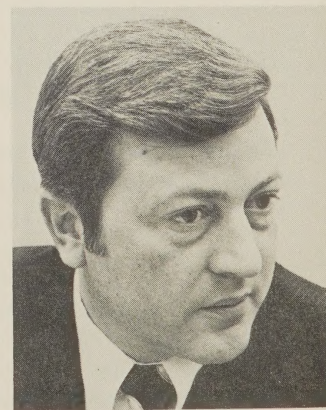
*Mr. D.R. Latten*



*His Honour Judge Garth H.F. Moore*



*Mr. George S.P. Ferguson, Q.C.  
Arbitrator*



*Mr. L.H. Langlois*



## **When Conciliation Officers Are Appointed**

A conciliation officer may be appointed by the Solicitor General upon the request of either negotiating party to assist them in voluntarily reaching a collective agreement. Conciliation officers are made available by the Conciliation and Mediation Services Branch, of the Ministry of Labour, or may also be obtained from the private sector. The conciliation officers report to the Solicitor General on the measure of success they have been able to achieve. The availability of conciliation in the collective bargaining process was newly introduced with the 1972 amendments.

## **Arbitration Procedure**

After unsuccessful attempts at bargaining and conciliation, either party may request the Solicitor General to designate an arbitrator. However, no notice or request may be given until the conciliation procedure has been completed. The arbitrator must hold a hearing and deliver his decision within sixty days of the hearing.

The Act permits a municipal council to make representations before the arbitrator where there is a Board of Police Commissioners, rather than a committee of council as a police governing authority.

In a "rights" dispute, notwithstanding any grievance procedure established by agreement, either party may submit the difference or an allegation to an arbitrator, if one can be agreed upon within ten days. If not agreed upon, either party can request the Solicitor General to appoint one. The hearing must be held within thirty days of the arbitrator's designation and the decision rendered within a reasonable time thereafter. The costs are borne by the parties concerned.

## **Responsibilities of a Board or Council**

It is the responsibility of a council, or where there is a board of commissioners, the board, in accordance with section 39 (a) of The Police Act, to file a copy of the agreement with the Arbitration Commission.

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Ministry of the Solicitor General

